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6 IN THE UNITED STATES DISTRICT COURT

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10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES OF AMERICA,

No. CR 12-00532 WHA

Plaintiff,

v.

**ORDER RE PRE-SENTENCE  
REPORT**

HERMILIO PALMERIN-ZAMUDIO,

Defendant.

In preparation for the sentencing in this matter, set for May 28, counsel shall provide assistance to the probation officer, as required under Local Rule 32-3. Counsel must provide and the probation officer must obtain information regarding the factual circumstances of defendant's prior convictions for kidnapping and drug possession, and whether defendant committed any additional crimes after he re-entered the United States. Counsel and the probation officer shall consider whether defendant should receive leniency by reason of Immigrations and Customs Enforcement agent Kenneth Legaspi leading defendant to believe that his deportation would simply be reinstated. The pre-sentence report should also address whether defendant was lawfully or gainfully employed during the last 12 years. Finally, the pre-sentence report should address whether defendant deserves leniency by reason of his manner of re-entry, that is, by presenting his true identification and former residency card.

Post-trial motions must be filed according to the deadlines set forth in the federal and local rules. *See, e.g.*, FRCrP 29 (motion for judgment of acquittal, or to renew such a motion,

**United States District Court**

For the Northern District of California

1 must be filed within 14 days after a guilty verdict); FRCrP 33 (motion for new trial for any  
2 reason other than newly discovered evidence must be filed within 14 days after the verdict).

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5 **IT IS SO ORDERED.**

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7 Dated: March 13, 2013.

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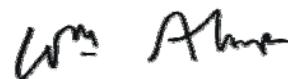
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE